

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventeenth day of May 2006, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Chairman
John Gober, Member
Lawrence Korzeniewski
Michael Myszka, Member
Steven Socha, Member
Melvin Szymanski, Member

EXCUSED: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant - Wm. Schutt & Associates
Leonard Campisano, Assistant Building & Zoning Inspector
John Dudziak, Deputy Town Attorney (Arrived at 8:10PM)
Mary Nowak, Recording Secretary

May 17, 2006

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
John P. Gober
Lawrence Korzeniewski
Michael Myszka
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
Daniel Amatura
Mark A. Montour
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Deputy Town Attorney: John M. Dudziak

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held May 17, 2006. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa
Planning Board Chairman

SJK:mn

Meeting called to order by Chair Keysa at 7:34 PM. Motion was made by Rebecca Anderson to approve the minutes from the May 3, 2006 Planning Board Meeting. Motion was seconded by Lawrence Korzeniewski and unanimously carried.

PLEDGE OF ALLEGIANCE

COMMUNICATIONS:

ACTION ITEMS -

SITE PLAN REVIEW - D & K GREENE PROPERTIES, G & K SEWER WAREHOUSE, SOUTHEAST CORNER OF CEMETERY ROAD AT ERIE STREET. AT THE REQUEST OF THE APPLICANT, THIS PROJECT WAS ADJOURNED AT THE MAY 3, 2006 PLANNING BOARD MEETING. THE TOWN ATTORNEY'S OFFICE WAS TO DETERMINE WHETHER A REZONE OF THIS PROPERTY WAS REQUIRED FOR THIS PROJECT. PROJECT NO. 0510. CONTACT PERSON: DENNIS K. GREENE

Susan King of King Consulting Engineers presented to the Planning Board the site plan for the proposed project on the 3+ acre site at the southeast corner of Cemetery Road at Erie Street. This project will be constructed in phases. Phase I will consist of the construction of three buildings and a storage shed on the south part of the parcel. The buildings will be used for office space for the business and storage/maintenance of equipment. Ms. King told the Planning Board that the owner has decided that all storage will be inside eliminating the need for a rezone of this property. Wetlands - The Planning Board told the applicant that he will need to consult with the Army Corps of Engineers because the wetlands on the parcel fall under Corp regulations. Landscaping - Since no revised landscape plan was submitted, the Planning Board stated that a landscape plan must be submitted for approval by Crew Chief Terrence McCracken. Lighting - No lighting plan was presented, but the owner stated that this project will have only wall pack lights. The Planning Board asked when Phase II on the north side of the parcel will be developed. The owner said that it will depend on the growth of the business. The Planning Board told the applicant that at that time, Phase II of this project will need to come back before the Planning Board and the stormwater issue for the north part of the parcel will have to be revisited.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1. Only buildings shown on the south side of the site plan are to be built. 2. Landscaping plan to be approved by Crew Chief Terrence McCracken. 3. Applicant must return to Planning Board before Phase II can be built. 4. Applicant to consult with Army Corp of Engineers regarding Corp regulations on wetlands. 5. No lighting on site other than wall pack lights. Motion seconded by John Gober and unanimously carried.

SITE PLAN REVIEW - TAE KWON DO STUDIO, 4901 TRANSIT ROAD, DEPEW, NY 14043. PROPOSED CONSTRUCTION OF A 11,200 SQ. FT. FACILITY FOR TAE KWON DO STUDIO, INCLUDING A 27,764 SQ. FT. PAVED PARKING AREA. PROJECT NO. 6008. CONTACT PERSON: MARC C. MUSSACHIO, MUSSACHIO ARCHITECTS.

Marc Mussachio, Mussachio Architects, presented to the Planning Board the site plan for the proposed Tae Kwon Do Studio on the 1.4-acre parcel at 4901 Transit Road. Since all access to this project is from Flix Drive, the applicant will need to work out an agreement with the owner of Flix properties to secure access. The plan shows an 11,000 sq. ft. building with a 1,600 sq. ft. second floor. Mr. Mussachio explained to the Planning Board that the 71 parking spaces shown on the plan exceed the 56 space minimum required. The plan shows a retention pond, but Mr. Mussachio told the Planning Board that he was not certain if it is large enough. If the size of the retention pond needs to be increased, six parking spaces will need to be eliminated resulting in 65 spaces. Mr. Mussachio will consult with the Town Engineering consultant to determine the necessary size of the retention pond. Lighting - This project will have ground lighting at the entry, wall pack lights on the back of the building and island lights in the parking lot. The Planning Board stated that the island lights are limited to 15 feet with flatlenses. The plan shows an enclosed dumpster behind the building.

DETERMINATION

Based on the information presented to the Planning Board, Melvin Szymanski made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1. Applicant to consult with Town consulting engineer to determine whether the size of the retention pond needs to be increased. 2. If size of retention pond is increased, number of parking spaces will be reduced by six spaces. Motion seconded by Steven Socha and unanimously carried.

FINAL SUBDIVISION REVIEW - PARKHAVEN PATIO HOMES, BOWEN ROAD AT BROADWAY. CHAIRMAN KEYSA REQUESTED THIS PROJECT TO BE SCHEDULED FOR PLANNING BOARD REVIEW. PROJECT NO. 0149.

Councilmember Donna Stempniak told the Planning Board that this project was approved at the May 15, 2006 Town Board Meeting.

Chair Keysa wanted the Planning Board to be aware of the changes that were made to this project. One of the building lots has been moved from the south to the north at the entrance to allow the entry to this project to line up with the driveway to Bell Tower Village. Sidewalks within this project will be on one side of the street and will be 5 feet wide. Sidewalks will also be constructed on the north side of the entry and along Bowen Road. As part of the Town Board resolution for this project, the distance between the sidewalk and the face of the garages will be a minimum of 18 feet. Soil borings will be done for each house in this project.

SITE PLAN REVIEW - INSTALLATION OF A PORTABLE, TRANSPORTABLE CENTRAL MIX CONCRETE PLANT, HARRIS HILL AT THE I-90 OVERPASS. PROJECT NO. 7310. CONTACT PERSON: J.S. LARAISO.

J.S. Laraiso explained to the Planning Board the plans for this project, since no drawing or plans were available. This project will be a temporary concrete plant for the 2006 construction season. The plant may become permanent, at which time the applicant will need to come back to the Planning Board. The facility will be 200' from the road behind the existing berm. Only the 75' cement silo will be visible. The temporary plant will be placed on the existing 20' X 54' pad. The entrance to the plant will be over the former West Shore railroad line and only Central Mix trucks will enter the plant. No outside vehicles will be allowed in the plant. The entire area including the entrance will be stone. However, if too much dust is produced the entrance will be paved. The Planning Board stated that the applicant will need to take whatever steps are necessary to prevent migrant dust in the air and on the road surfaces. Mr. Laraiso told the Planning Board that there will be about 10 trucks entering per hour with the heaviest traffic times being 7:00AM to 9:00AM and 2:00PM to 4:00PM with most traffic heading to the north. Landscaping - The Planning Board consensus was that no further landscaping will be necessary. Drainage - All runoff will drain into the existing quarry. Lighting - The Planning Board stated that there is to be no lighting for this project. Member Socha stated that he was not comfortable voting on a project without a site plan or a diagram to look over. He also said that in all his years on the Planning Board he has never reviewed a project that did not have some type of drawing and that this could set a precedent for future projects. Mr. Laraiso stated that he could provide the Planning Board with a diagram with elevations by Monday, May 22, 2006.

DETERMINATION

Based on the information provided to the Planning Board, Rebecca Anderson made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1. Facility is temporary for 2006 construction season. If facility is to be permanent, applicant must return to Planning Board with detailed plans. 2. Applicant to provide drawings of facility with elevations to Building Dept. by Monday, May 22, 2006. 3. Facility to be placed 200 ft. from the road behind the existing berm. 4. Facility to be placed on existing 20' X 54' slab. 5. There is to be no lighting for this project. 6. Primary entry to be over the former West Shore Railroad line on the east side of Harris Hill Road. 7. Only Central Mix vehicles will enter facility; no outside vehicles will enter facility. 8. Applicant to take whatever steps necessary to prevent migrant dust in the air and on road surfaces. 9. As per Planning Board consensus, no further landscaping will be necessary. Motion seconded by Michael Myszka and duly carried by a vote of six ayes and one nay.

REZONE PETITION - GENESEE STREET - PROPOSED ZONING GENERAL BUSINESS (GB), PRESENT ZONING RESIDENTIAL COMMERCIAL OFFICE (RCO) AND RESIDENTIAL (R-1). DEVELOPER IS PROPOSING TO CONSTRUCT A MINIATURE GOLF COURSE. CONTACT PERSON: RON SUROWICK, DEAN SUTTON ARCHITECTS,LLP

Councilmember Donna Stempniak told the Planning Board that the Town Board had received the Planning Board's memo recommending denial of this rezone application, but the Town Board was unclear as to the reason for the denial. The applicant has modified the plan for this project and would like the Planning Board to reconsider the rezone of this property for a miniature golf course and ice cream stand.

Ron and Camille Surowick, owners, presented to the Planning Board the modified plan for the rezone of the property at 5352 - 5354 Genesee Street for the construction of a proposed miniature golf course and ice cream stand. The modified plan shows that all structures have been moved back beyond the 60-ft. setback area. Only picnic tables will be within the 60-ft. setback area. The hours of operation for the miniature golf course will be Monday through Saturday 10:00AM to 10:00PM and Sunday 12:00PM to 10:00PM. Mr. Surowick stated that the current pastor of the neighboring church has written a letter of support for this project. He also stated that he has a petition of support for this project signed by 150 Town residents. Chair Keysa told Mr. Surowick to file that petition with the Town Clerk's office by noon on Friday for circulation to the Town Board members.

DETERMINATION

Based on the information presented to the Planning Board, Steven Socha made a motion to recommend approval of the rezone to the Town Board with the following conditions: 1. Rezone approval based on modifications to site plan. 2. Applicant agrees to limit hours of operation on Sunday from 12:00PM to 10:00PM. Motion seconded by Lawrence Korzeniewski and duly carried by a vote of six ayes and one nay.

SITE PLAN REVIEW - PROPOSED MINIATURE GOLF COURSE AND ICE CREAM STAND AT 5352 -

5354 GENESEE STREET. PROJECT NO. 7310. CONTACT PERSON: RON SUROWICK, DEAN SUTTON, ARCHITECTS.

Ron Surowick, owner, presented to the Planning Board the site plan for the proposed miniature golf course and ice cream stand at 5352-5354 Genesee Street. The plan shows all structures back beyond the 60-ft. setback area, with only picnic tables in the setback area. Lighting-The owner stated that this project will have low level recessed lighting and that all lights will be turned off at 10:00PM. Drainage-Drainage calculations must be reviewed by the Town's engineering consultant. Landscaping-No landscape plan was submitted for this project. The Planning Board stated that a landscape plan must be approved by Crew Chief Terrence McCracken.

DETERMINATION

Based on the information presented to the Planning Board, Steven Socha made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1. Only picnic tables allowed in 60-ft. setback area. 2. Lights are to be recessed at low level. All lights are to be turned off at 10:00PM. 3. Drainage calculations to be reviewed by Town's engineering consultant. 4. Landscaping plan must be approved by Crew Chief Terrence McCracken. Motion seconded by Lawrence Korzeniewski and duly carried by a vote of six ayes and one nay.

OTHER MATTERS - None

At 9:25 PM Rebecca Anderson made a motion to adjourn the meeting. Motion seconded by Melvin Szymanski and unanimously carried.